

REMARKS

Claims 1-23 are pending in the application. By this paper, claim 8 has been amended. Reconsideration and allowance of claims 1-23 in light of the arguments and amendments herein are respectfully requested.

Introduction

The present application relates to monitoring the interaction of randomly selected users with particular World Wide Web domains. In the past, one technique for monitoring user interaction involved use of a persistent client-side state to permit a server computer to store and retrieve information within a web browser used to access a web site by a computer. The server stores a unique value in each browser's cookie and makes a corresponding entry in its log file. The server then records the cookie associated with each browser request made to the applicable web site, thereby creating a log file associated with the site. Information relating to the user interaction with the site may be obtained by analyzing the file. Background of the present application, page 2, paragraph [0005].

This prior technique has been problematic because of the large amounts of data that can be produced by monitoring interaction of all users with a web site, and the attendant cost of storing and analyzing that information. Further, stored log files may inaccurately represent user behavior. Background of the present application, page 2, paragraph [0006].

The present invention defined by claims 1-23 overcomes these problems by monitoring usage of only a sample population of users, rather than all users. Thus, claim 1 recites "a client component for determining whether a user identification code associated with said web browser indicates that said web browser is within a sampled population," (*emphasis added*). Then, "in the event said web browser is included within said sampled population," the client component "transmit[s] usage data indicative of said interaction" (*emphasis added*). Only if the user is within the sampled population does the user's web interaction get monitored and saved. Other dependent claims contain similar limitations. The specification and other claims provide details

about how the sampled population is defined. For example the population may be randomly defined, or near-randomly defined, paragraph [0017].

As explained in the specification at paragraph [0021], in accordance with some aspects of the present invention,

an instrumentation or data collection script [is] downloaded only to a randomly selected population of users interacting with a particular Web site. That is, the data collection script is not automatically requested from the content server 26 upon downloading of a tagged HTML page from the content server 26 to a browser 40. Instead, only HTML pages served to web browsers 40 within the randomly selected set are instrumented with the data collection script from the monitoring server 24. This approach enables meaningful trends in user behavior to be discerned through analysis of only a fraction of the usage data that would otherwise be collected by the monitoring server 24. In addition, this technique advantageously reduces the cost of collecting and processing such usage data and preserves user anonymity relative to other methods by tracking the behavior of a relatively fewer number of users. (*emphasis added*)

Prior Art Rejections

Claims 1-7 and 13-23 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. patent number 6,112,240 to Pogue, et al. ("Pogue"). Claims 8-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pogue.

This rejection is respectfully traversed. Pogue discloses a web site client information tracker of the type described in paragraphs [0005] – [0006] of the background section of the present application and referred to above. Pogue discloses monitoring interaction of all users with a web site. For example, Pogue discloses adding a tracker tag to a downloaded web page. The tracker tag appears as an tag referring to a file having a URL with an arbitrary number as an extension. The browser of the client computer searches for a file with a name including the arbitrary number. The arbitrary number, however, prevents the file from being located. As a result, the client computer transmits a tracker message to a tracking computer which causes the tracker to monitor the web page access. Pogue, column 5, lines 10-40.

Importantly, all browsers of all users go through the process of searching for the file named with the arbitrary number. Therefore, all users are monitored, in their interaction with the web page. Data collection occurs automatically, without any discrimination among users to limit users from whom data should not be collected. Pogue does not show, describe or suggest that only a sampled population of users may or should be monitored, and Pogue does not disclose

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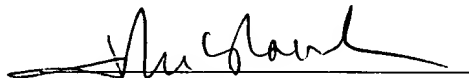
determining if the web browser is within a sampled population and transmitting usage data only in the event that the web browser is in the sampled population. Accordingly, it is respectfully submitted that claims 1-23 each include limitations nowhere shown in Pogue and that, as a result, the prior art rejections of these claims may not be maintained. Withdrawal of the rejections of claims 1-23 is respectfully requested.

Claim amendments

Claim 8 has been amended to correct an informal error noted during review of the claims. Specifically, in claim 8, the first recitation of "sampled population" has been corrected. This correction is made only to improve the wording of the claim and not for any reason related to patentability.

With this response, the application is believed to be in condition for allowance. Should the examiner deem a telephone conference to be of assistance in advancing the application to allowance, the examiner is invited to call the undersigned attorney at the telephone number below.

Respectfully submitted,



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